

City Council Chambers 3300 Capitol Avenue Fremont, California

City Council

Bob Wasserman, Mayor

Bob Wieckowski, Vice Mayor

Anu Natarajan

Bill Harrison

Suzanne Lee Chan

City Staff

Fred Diaz, City Manager
Harvey E. Levine, City Attorney
Melissa Stevenson Dile, Deputy City Manager

Dawn G. Abrahamson, City Clerk
Harriet Commons, Finance Director
Marilyn Crane, Information Technology Svcs. Dir.
Mary Kaye Fisher, Interim Human Resources Dir.
Annabell Holland, Parks & Recreation Dir.
Norm Hughes, City Engineer
Jill Keimach, Community Dev. Director
Bruce Martin, Fire Chief
Jim Pierson, Transportation & Ops Director
Jeff Schwob, Planning Director
Suzanne Shenfil, Human Services Director
Craig Steckler, Chief of Police
Lori Taylor, Economic Development Director
Elisa Tierney, Redevelopment Director

City Council Agenda and Report [Redevelopment Agency of Fremont]

General Order of Business

- 1. Preliminary
 - Call to Order
 - Salute to the Flag
 - Roll Call
- 2. Consent Calendar
- 3. Ceremonial Items
- 4. Public Communications
- 5. Scheduled Items
 - Public Hearings
 - Appeals
 - Reports from Commissions, Boards and Committees
- 6. Report from City Attorney
- 7. Other Business
- 8. Council Communications
- 9. Adjournment

Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested citizens, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken. Items on the agenda may be moved from the order listed.

Consent Calendar

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address the City Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.

Agenda and Report • Fremont City Council Meeting • April 27, 2010



Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and the number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker card). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said.

Oral Communications

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Oral Communications section of Public Communications. Please submit your speaker card to the City Clerk prior to the commencement of Oral Communications. Only those who have submitted cards prior to the beginning of Oral Communications will be permitted to speak. Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker card) and each speaker may only speak once on each agenda item.

To leave a voice message for all Councilmembers and the Mayor simultaneously, dial 284-4080.

The City Council Agendas may be accessed by computer at the following Worldwide Web Address: www.fremont.gov

Information

Copies of the Agenda and Report are available in the lobbies of the Fremont City Hall, 3300 Capitol Avenue and the Development Services Center, 39550 Liberty Street, on Friday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available at the Office of the City Clerk.

The regular meetings of the Fremont City Council are broadcast on Cable Television Channel 27 and can be seen via webcast on our website (www.Fremont.gov).

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (510) 284-4060. Council meetings are *open captioned* for the deaf in the Council Chambers and *closed captioned* for home viewing.

Availability of Public Records

All disclosable public records relating to an open session item on this agenda that are distributed by the City to all or a majority of the City Council less than 72 hours prior to the meeting will be available for public inspection in specifically labeled binders located in the lobby of Fremont City Hall, 3300 Capitol Avenue during normal business hours, at the time the records are distributed to the City Council.

Information about the City or items scheduled on the Agenda and Report may be referred to:

Address: City Clerk

City of Fremont

3300 Capitol Avenue, Bldg. A

Fremont, California 94538

Telephone: (510) 284-4060

Your interest in the conduct of your City's business is appreciated.

NOTICE AND AGENDA OF SPECIAL MEETING CLOSED SESSION CITY COUNCIL OF THE CITY OF FREMONT

DATE: Tuesday, April 27, 2010

TIME: 6:15 p.m.

LOCATION: Fremont Room, 3300 Capitol Avenue, Fremont-

The City will convene a special meeting. It is anticipated the City will immediately adjourn the meeting to a closed session for possible initiation of litigation against the City in one matter and existing litigation in one matter, as follows:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

This Closed Session is authorized by subdivision (C) of Section 54956.9 of the Government Code and will pertain to possible initiation of litigation against the City in one matter.

Claimant: Matthew Fernandes

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

This Closed Session is authorized by subdivision (a) of Section 54956.9 of the Government Code and will pertain to existing litigation in one matter.

City of Fremont v. East Warren Park, LLC, Case No. RG09486204

This Special Meeting is being called by Mayor Wasserman.

AGENDA FREMONT CITY COUNCIL REGULAR MEETING APRIL 27, 2010 COUNCIL CHAMBERS, 3300 CAPITOL AVE., BUILDING A 7:00 P.M.

1. PRELIMINARY

- 1.1 Call to Order
- 1.2 Salute the Flag: Led by Boy Scout Troop #269
- 1.3 Roll Call
- 1.4 Announcements by Mayor / City Manager

2. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.

- 2.1 Motion to Waive Further Reading of Proposed Ordinances (This permits reading the title only in lieu of reciting the entire text.)
- 2.2 Approval of Minutes from the Regular Meetings of January 12, 2010, January 26, 2010, and February 2, 2010 and the Special Meeting of February 2, 2010
- 2.3 Second Reading and Adoption of an Uncodified Ordinance of the City of Fremont to Authorize a One-Year Pilot Program for Back-In Angle Vehicle Parking Along Portions of Capitol Avenue

RECOMMENDATION: Adopt ordinance.

2.4 AMENDMENT TO INCREASE UNISOURCE JANITORIAL SUPPLY CONTRACT Consideration of Approval to Amend the Unisource Janitorial Supply Contract by Increasing both Fiscal Years 2009/10 and 2010/11 up to \$30,000 each

Contact Person:

Name: Cynthia Gray Bill Shaffer

Title: Building Maintenance Analyst Building Maintenance Supervisor
Dept.: Transportation & Operations
Transportation & Operations

Phone: 510-979-5718 510-979-5751

E-Mail: cgray@fremont.gov bshaffer@fremont.gov

RECOMMENDATION: Authorize the City Manager, or designee, to amend the Unisource Janitorial Supply Contract by increasing the no to exceed contract value by \$30,000 for both Fiscal Years 2009/10 and 2010/11 subject to City Council appropriation in fiscal year 2010/11.

2.5 FY 2010/11 AND 2011/12 CDBG FUNDING RECOMMENDATIONS, FY 2010/11 ACTION PLAN AND FY 2010-2014 CONSOLIDATED PLAN
Public Hearing (Published Notice) on the Use of Federal Community Development
Block Grant Funds for FY 2010/11 and FY 2011/12, Adoption of a Resolution
Approving the FY 2010/11 CDBG Program Final Statement of Community
Development Objectives, FY 2010/11 Action Plan and the FY 2010-2014 Strategic
Plan; and Authorizing the City Manager to Execute Agreements with the U.S.
Department of Housing and Urban Development and CDBG Grantees

Contact Person:

Name: Lucia Hughes Suzanne Shenfil

Title: CDBG Administrator Director

Dept.: Human Services Human Services Phone: 510-574-2043 510-574-2051

E-Mail: lhughes@fremont.gov sshenfil@fremont.gov

RECOMMENDATION:

- 1. Hold a public hearing on the proposed FY 2010/11 CDBG Program Final Statement of Community Development Objectives and Projected Use of Funds.
- 2. Allocate CDBG funds for FY 2010/11 and FY 2011/12 in the amounts stated herein, contingent upon the respective adoption of the FY 2010/11 and FY 2011/12 budgets by the City Council.
- 3. Adopt a resolution approving, and authorizing the City Manager or his designee to submit, the FY 2010/11 CDBG Program Final Statement of Community Development Objectives and Projected Use of Funds, the FY 2010-2014 Consolidated Plan, and the CDBG Action Plan as recommended by the Citizens Advisory Committee and staff in the amounts stated herein.
- 4. Adopt a resolution authorizing the City Manager or his designee to execute a FY 2010/11 CDBG funding agreement with HUD.
- 5. Adopt a resolution authorizing the City Manager or his designee to execute agreements, effective July 1, 2010, with the grantees recommended for funding by staff and the Citizens Advisory Committee in the amounts set forth herein, contingent upon a finding of no significant impact in the corresponding environmental assessments and completion of the required public comment period as amended by HUD, and contingent upon adoption of the budget for FY 2010/11 and, if applicable, FY 2011/12.
- 2.6 ACCEPTANCE OF FY 2010/11 FEDERAL SHP FUNDING FOR HOPE PROJECT Adopt a Resolution Accepting FY 2010/11 Federal Supportive Housing Program (SHP) Renewal Funding for the Homeless Outreach for People Empowerment (HOPE) Project and Authorizing the City Manager to Execute Agreements with HUD and Partner Agencies

Contact Person:

Name: Lucia Hughes Suzanne Shenfil

Title: CDBG Administrator Director

Dept.:Human ServicesHuman ServicesPhone:510-574-2043510-574-2051

E-Mail: lhughes@fremont.gov sshenfil@fremont.gov

RECOMMENDATION:

- 1. Adopt a resolution accepting FY 2010/11 Federal SHP funding in the amount of \$269,790 and authorizing the City Manager or designee to execute an agreement with the Department of Housing and Urban Development in the amount of \$269,790.
- 2. Authorize the City Manager or designee to execute agreements with Abode Services in the amount of \$197,550 and Tri-City Health Center in the amount of \$82,597, effective July 1, 2010 through June 30, 2011, as set forth in the staff report and contingent on receipt and appropriation of funding.
- 3. Authorize the City Manager or designee to transfer SHP funding between Tri-City Health Center and Abode Services in an amount not to exceed 10% of the total SHP supportive service budget, or \$25,694.
- 2.7 FY 2010/11 HUMAN RELATIONS COMMISSION GRANT RECOMMENDATIONS
 Referral from the Human Relations Commission: Adopt a Resolution Approving the
 Recommendations for FY 2010/11 Human Service Grant Funding and Authorizing the
 City Manager to Execute Agreements with Non-Profit Agencies

Contact Person:

Name: Leticia Leyva Suzanne Shenfil

Title: Management Analyst Director

Dept.: Human Services Human Services Phone: 510-574-2072 510-574-2051

E-Mail: lleyva@fremont.gov sshenfil@fremont.gov

RECOMMENDATION: Adopt a resolution:

- 1. Allocating the FY 2010/11 Human Service Grant funding as recommended by the Human Relations Commission, subject to adoption of the City's FY 2010/11 budget, by the City Council.
- 2. Authorizing the City Manager or designee to execute agreements with recommended non-profit agencies, effective July 1, 2010 through June 30, 2011, and any other implementing documents, as set forth in the staff report.
- 2.8 FY 2010/11 SENIOR CITIZENS COMMISSION GRANT RECOMMENDATIONS
 Referral from the Senior Citizens Commission: Adopt a Resolution Approving the
 Recommendations for FY 2010/11 Senior Service Grant Funding and Authorizing the
 City Manager to Execute Agreements with Non-Profit Agencies

Contact Person:

Name: Leticia Leyva Suzanne Shenfil

Title: Management Analyst Director

Dept.:Human ServicesHuman ServicesPhone:510-574-2072510-574-2051

E-Mail: lleyva@fremont.gov sshenfil@fremont.gov

RECOMMENDATION: Adopt a resolution:

- 1. Allocating the FY 2010/11 Senior Service Grant funding as recommended by the Senior Citizens Commission, subject to adoption of the FY 2010/11 budget.
- 2. Authorizing the City Manager or his designee to execute agreements with recommended non-profit agencies, effective July 1, 2010 through June 30, 2011, as well as any implementing documents, as set forth in the staff report.

3. CEREMONIAL ITEMS

- 3.1 Resolution: Honoring Construction Inspector Mike Christianson for 20 Years of Service
- 3.2 <u>Click here for Supplemental Agenda</u>

4. PUBLIC COMMUNICATIONS

4.1 Oral and Written Communications

REDEVELOPMENT AGENCY - None.

PUBLIC FINANCING AUTHORITY - None.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT CALENDAR

5. SCHEDULED ITEMS

5.1 APPEAL OF MAR LARGE FAMILY DAY CARE HOME ZONING
ADMINISTRATOR PERMIT APPROVAL – 36940 ALLEN COURT
Public Hearing (Published Notice) to Consider a Third Party Appeal of a Planning
Commission Decision to Uphold the Zoning Administrator Approval of a Zoning
Administrator Permit to Allow a Large Family Day Care Home in an Existing Single-

Family Dwelling (Original Zoning Administrator Permit Case No. MIS2010-00304; Appeal Case No. PLN2010-00151)

Contact Person:

Name: Steve Kowalski Jeff Schwob Title: Associate Planner Planning Director

Dept.: Community Development Community Development

Phone: 510-494-4532 510-494-4527

E-Mail: skowalski@fremont.gov jschwob@fremont.gov

RECOMMENDATION:

1. Hold public hearing;

- 2. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Health and Safety Code Section 1597.46(c) CEQA Guideline 15274:
- 3. Find the project is in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals, objectives, and policies set forth in the Land Use section of the City's General Plan as enumerated within the staff report; and
- 4. Deny the appeal and uphold the approval of Zoning Administrator Permit MIS2010-00304 based on the findings and as conditioned by the Zoning Administrator as shown in Exhibit "A".
- 5.2 APPEAL FROM DENIAL OF A CONDITIONAL USE PERMIT APPLICATION FOR SANGEETAANJALI MUSIC INSTITUTE 4600 NELSON STREET Public Hearing (Published Notice) to Consider an Appeal from a Planning Commission Decision to Deny a Conditional Use Permit that would Allow a Portion of an Existing Single-Family Residence to be Used as a Non-Profit Music School with Occasional Concerts and Recitals (PLN2009-00044)

Contact Person:

Name:Steve KowalskiJeff SchwobTitle:Associate PlannerPlanning Director

Dept.: Community Development Community Development

Phone: 510-494-4532 510-494-4527

E-Mail: skowalski@fremont.gov jschwob@fremont.gov

RECOMMENDATION:

- 1. Hold public hearing; and
- 2a. Uphold the decision of the Planning Commission and deny the appeal of Conditional Use Permit application PLN2009-00044 as shown in Exhibit "A" based on the findings of denial contained in Exhibit "B"; or
- 2b. Continue the item to May 11, 2010 and direct staff to return to the City Council with findings and conditions of approval in support of the application.

6. REPORT FROM CITY ATTORNEY

6.1 Report Out from Closed Session of Any Final Action

7. OTHER BUSINESS

7.1 DISCUSSION OF DRAFT GUIDING PRINCIPLES FOR FUTURE DEVELOPMENT OF THE WARM SPRINGS/SOUTH FREMONT AREA Receive Input on Draft Guiding Principles for Future Development of the Warm Springs/South Fremont Area

Contact Person:

Name: Jill Keimach Jeff Schwob
Title: Community Development Director Planning Director

Dept.: Community Development Community Development

Phone: 510-494-4767 510-494-4527

E-Mail: jkeimach@fremont.gov jschwob@fremont.gov

RECOMMENDATION: Receive Input on Draft Guiding Principles for Future Development of the Warm Springs/South Fremont Area. Staff will return to the City Council in early May with a revised set of draft Guiding Principles for Council adoption.

8. COUNCIL COMMUNICATIONS

- 8.1 Council Referrals
 - 8.1.1 MAYOR WASSERMAN REFERRAL: Appointments to advisory bodies
- 8.2 Oral Reports on Meetings and Events

9. ADJOURNMENT



*2.3 Second Reading and Adoption of an Uncodified Ordinance of the City of Fremont to Authorize a One-Year Pilot Program for Back-In Angle Vehicle Parking Along Portions of Capitol Avenue

ENCLOSURE: Draft Ordinance

RECOMMENDATION: Adopt ordinance.

*2.4 AMENDMENT TO INCREASE UNISOURCE JANITORIAL SUPPLY CONTRACT Consideration of Approval to Amend the Unisource Janitorial Supply Contract by Increasing both Fiscal Years 2009/10 and 2010/11 up to \$30,000 each

Contact Person:

Name: Cynthia Gray Bill Shaffer

Title: Building Maintenance Analyst Building Maintenance Supervisor Dept.: Transportation & Operations Transportation & Operations

Phone: 510-979-5718 510-979-5751

E-Mail: cgray@fremont.gov bshaffer@fremont.gov

Executive Summary: The City of Fremont's current janitorial supply contract with Unisource was awarded in July 2007 for a one-year term with an option to extend for three additional one-year terms, expiring June 30, 2011. Staff is requesting a \$30,000 increase in the authorized annual contract amount for both the current Fiscal Year (FY) 2009/10 and the next FY 2010/11. The increase is necessary to cover additional janitorial supplies for City-owned buildings. Staff is recommending that the City Council authorize the City Manager, or his designee, to amend the current Unisource contract by increasing FY's 2009/10 and 2010/11 authorized contract amount by \$30,000 each for a total not to exceed amount of \$130,000 in each fiscal year.

BACKGROUND: The City contracts for janitorial supplies separately from janitorial services and provides items such as paper towels, toilet paper, hand soap, and trash bags to 57 City-owned buildings. In July 2007, the City entered into a contract with Unisource to provide the janitorial supplies, which are ordered and tracked by the City's janitorial service contractor, GCA Services. The contract was awarded in July 2007 and provided for an initial one-year term with three one-year extensions expiring June 30, 2011. The contract terms are covered by an annual purchase order that is renewed each year with Unisource for the duration of the contract period.

Discussion: The cost increase being sought will cover an increase in quantities already ordered this fiscal year and anticipated for the next fiscal year. The increase in quantity of janitorial supplies ordered is attributed to additional paper towel, toilet paper, and plastic bag use at various City-owned facilities. Staff has taken steps over the last several months to improve the management and tracking of supplies at all City facilities, including City offices, Community Centers, and the Fremont Family Resource Center. Staff believes these measures will help stabilize and hopefully reduce supply use in the future.

Staff is evaluating options to reduce the amount of these products consumed by testing dispensing units that control the amount of product dispensed and instituting waste minimizing collection techniques. In addition, staff is reviewing all supply storage rooms throughout the City to ensure that they are adequately secured and accessed by janitorial staff only, so that janitorial staff are solely responsible and accountable for supply inventory and use.

Fiscal Impacts: The \$30,000 increase in the contract amount for each of FY 2009/10 and FY 2010/11 will bring the estimated annual totals for each fiscal year to an amount not to exceed \$130,000 each. The last quarter of FY 2009/10 and the entire FY 2010/11 are estimated costs based on future cost and use projections for supplies. There is sufficient funding in the Building Maintenance FY 2009/10 budget to cover the

increase in contract amount; the increase for FY 2010/11 will be subject to the Council's annual appropriation of funds for Building Maintenance for next fiscal year.

ENCLOSURE: None.

RECOMMENDATION: Authorize the City Manager, or designee, to amend the Unisource Janitorial Supply Contract by increasing the no to exceed contract value by \$30,000 for both Fiscal Years 2009/10 and 2010/11 subject to City Council appropriation in fiscal year 2010/11.

*2.5 FY 2010/11 AND 2011/12 CDBG FUNDING RECOMMENDATIONS, FY 2010/11 ACTION PLAN AND FY 2010-2014 CONSOLIDATED PLAN

Public Hearing (Published Notice) on the Use of Federal Community Development Block Grant Funds for FY 2010/11 and FY 2011/12, Adoption of a Resolution Approving the FY 2010/11 CDBG Program Final Statement of Community Development Objectives, FY 2010/11 Action Plan and the FY 2010-2014 Strategic Plan; and Authorizing the City Manager to Execute Agreements with the U.S. Department of Housing and Urban Development and CDBG Grantees

Contact Person:

Name: Lucia Hughes Suzanne Shenfil

Title: CDBG Administrator Director

Dept.: Human Services Human Services Phone: 510-574-2043 510-574-2051

E-Mail: lhughes@fremont.gov sshenfil@fremont.gov

Executive Summary: The Citizens Advisory Committee (CAC) and staff have completed the FY 2010/11 and FY 2011/12 Community Development Block Grant (CDBG) proposal process. The CAC and staff reviewed fifteen (15) funding proposals for capital, housing public services, fair housing and tenant landlord services, micro-enterprise, and Individual Development Account programs totaling \$2,405,712 over the next two fiscal years. The CAC and staff are recommending fourteen (14) proposals for funding in the amount of \$1,986,199, including \$1,655,167 for capital projects, \$151,032 for housing public service and fair housing projects, and \$180,000 for microenterprise and homeownership assistance. In addition to these CAC recommendations, staff is also recommending the allocation of non-housing public service funds, CDBG-funded City services, and administrative funds.

Together, these recommendations comprise the projected use of the City's CDBG entitlements over the next two years. Staff is also recommending the City Council adopt a resolution approving the FY 2010/11 CDBG Program Final Statement of Community Development Objectives and Projected Use of Funds, and the FY 2010/11 Action Plan, and the FY 2010-2014 Consolidated Plan; and authorize the City Manager or designee to enter into agreements with HUD and CDBG grantees.

BACKGROUND: The CDBG Program is funded through federal entitlement funds the City receives from the U.S. Department of Housing and Urban Development (HUD). The primary objective of the CDBG program is to develop viable urban communities, principally for low and moderate-income households, through the provision of decent housing, a suitable living environment, and economic opportunity. CDBG funds must be used for activities which:

- 1. Directly benefit low and moderate-income families. Most households receiving benefit from this program cannot earn more than \$59,600 for a family of three. Most funds, however, based on current CDBG usage, serve families with even lower income, which are under 50% of the median income (\$40,200 for a family of three);
- 2. Aid in the elimination of slums or blight; or

3. Other activities designed to meet urgent community needs when conditions may pose an immediate threat to the health or welfare of the community. Federal rules allow each community to tailor its program to address specific local needs.

The City must apply annually for CDBG funds, submitting a Final Statement of Community Development Objectives and Projected Use of Funds as well as an Action Plan by mid-May. This year the deadline is May 15, 2010.

FY 2010/11 and FY 2011/12 CDBG Funding Process: On December 1, 2009, staff and the CAC issued three Requests for Proposals (RFP) for projects beginning July 1, 2010 and July 1, 2011:

- 1. Capital Bricks and Mortar Projects RFP
- 2. Housing Public Services and Fair Housing & Landlord/Tenant Services RFP
- 3. Microenterprise and Individual Development Account RFP

The availability of funds was advertised through the Tri-City Voice, the City's web page, the City's cable channel and an extensive mailing to social services agencies serving Fremont residents. The RFP process was completed, as follows:

- 1. RFP materials were made available to the public on December 1, 2009.
- 2. On December 9, 2009, staff conducted a grant proposal workshop for prospective CDBG applicants. The workshop gave prospective applicants the opportunity to understand the proposal process, including proposal criteria and the CAC's role in the process. Ten (10) prospective applicants attended the workshop.
- 3. Proposals for CDBG funding were due on January 20, 2010 at 5:00 PM. Fifteen (15) proposals for capital, housing services, fair housing and tenant landlord services, microenterprise, and Individual Development Account were submitted.
- 4. During February and March 2010, Committee members, along with staff, independently reviewed proposals and developed supplemental questions for applicants. In reviewing the projects, the CAC and staff evaluated each proposal based on the following criteria:
 - benefit to low and moderate income households;
 - ability of the project to address the most critical local needs of lower income residents;
 - feasibility of the project to succeed;
 - cost effectiveness;
 - impact of funding on the outcome of the proposed activity; and
 - management and performance capacity of the project sponsor.
- 5. On March 3, 2010, the CAC conducted a public hearing to interview agencies regarding their proposals.
- 6. On March 10, 2010, the CAC and staff held a public hearing to develop funding recommendations for the City Council.

DISCUSSION/ANALYSIS:

FY 2010/11 and FY 2011/12 CDBG Budget: The City allocates CDBG funds in two-year funding cycles as authorized by the City Council on May 9, 2000. This two-year cycle allows housing-related public service agencies, which receive funding on a yearly basis, to better budget their resources and reduce the amount of paperwork they need to complete each year. This agenda item requests that the

City Council allocate CDBG funds for FY 2010/11 contingent on its adoption of the FY 2010/11 Budget. Actual appropriation of FY 2011/12 funds will occur next year, but in keeping with the two-year funding cycle, Council is requested to allocate FY 2011/12 funds in accordance with CAC and staff recommendations, subject to appropriation of those funds.

The City of Fremont's proposed CDBG Program budget for FY 2010/11 and 2011/12 is as follows:

<u>Sources</u>	FY 2010/11	FY 2011/12
1. CDBG Entitlement:	\$1,793,445	\$1,793,445
2. Uncommitted and Reprogrammed Funds:	\$ 355,000	NA
3. Anticipated Program Income:	\$ 0	\$ 0
Total CDBG Budget:	\$2,148,445	\$1,793,445*

^{*}estimates

On March 31, 2010, HUD announced the FY 2010/11 CDBG formula grant allocations. The City's FY 2010/11 entitlement is \$1,793,445, an 8% increase from FY 2009/10. Staff used conservative assumptions to estimate the FY 2011/12 CDBG program budget. The conservative assumptions include an estimate of zero program income in the next two fiscal years, based on the fact the City has received no program income in FY 2009/10, and program income for FY 2008/09 and FY 2007/08 were at historic lows.

FY 2010/11 and FY 2011/12 CDBG Funding Recommendations: Agencies submitted a total of fifteen (15) funding proposals for capital, housing public services, fair housing and tenant landlord services, micro-enterprise, and Individual Development Account programs totaling \$2,405,712 over the next two fiscal years. A staff analysis, with project summary and funding recommendation for each proposed project, is enclosed (Exhibit 1). The CAC and staff recommend CDBG funds be allocated to the following projects:

CDBG Capital Project Funding Recommendations: The CAC and staff are recommending \$1,088,547 in FY 2010/11 funds and \$566,620 in FY 2011/12 funds, for a total of \$1,655,167 in capital project funding over the next two fiscal years. All of the projects recommended for funding are consistent with the City's FY 2010-2014 CDBG Strategic Plan to be adopted by the City Council as part of the recommendation of this agenda item, and are designed to address the needs of households with incomes under 80% of the area median income.

The CAC and staff also recommend reserving \$292,193 in FY 2010/11 and \$459,120 in FY 2011/12 for emerging capital projects. These funds may be allocated through a CDBG RFP process beginning December 2010. Specific City Council action will be necessary to appropriate these remaining funds. In addition, CAC and staff recommend that up to \$100,000 of the FY 2011/12 reserve be allocated to Alameda County Community Development Agency's housing rehabilitation program, subject to community need, agency performance and availability of emerging projects. Doing so would increase funding available for housing rehabilitation to \$400,000. Staff would return to the City Council for appropriation of these funds in FY 2011/12.

In an effort to reduce the amount of time spent on the contracting process, and allow Alameda County to roll-over unused contingencies to the second fiscal year, staff is requesting City Council authorization to

enter into a two-year agreement with Alameda County for the City's Housing Rehabilitation Loan and Minor Home Repair Grant Program. The proposed agreement with Alameda County will not exceed \$800,000, up to \$400,000 each for FY2010/11 and FY 2011/12/. FY 2011/12 funding will be contingent on the availability of funds, contractor's performance and City Council appropriation. The Redevelopment Agency currently has a three-year service agreement with the County for the same program serving residents inside the City's Redevelopment Project area.

FY 2010/11 & 2011/12 Capital Funding Recommendations

	Recommended Funding		ding
Proposed Capital Projects	FY 2010/11	FY 2011/12	Total
Abode Services: Requesting \$265,504 to construct community	\$265,504	\$0	\$265,504
service offices at Main Street Village Apartments. Offices	,		
would provide services to individuals and families with the			
greatest needs.			
Alameda County Community Development Agency:	\$400,000	*\$300,000	\$700,000
Requesting \$400,000 in both FY 2010/11 and FY 2011/12 to			
administer the City's Housing Rehabilitation Loan and Minor			
Home Repair Grant Program for low and moderate-income			
Fremont households. *FY 2011/12 funding may be increased to			
\$400,000 subject to community need, agency performance, and			
competing emerging projects.			
Bay Area Community Services (BACS): Requesting	\$0	\$0	\$0
\$212,000 to lease a space to house its Adult Day Care program.			
The program has outgrown its current space, which is shared			
with another BACS program.			
Fremont Family Resource Center (FRC): Requesting	\$231,000	\$0	\$231,000
\$231,000 to replace the flooring in the FRC's ABCD and			
EFGH buildings.			
Kidango-Renovations to Rix Child Care Center: Requesting	\$21,000	\$0	\$21,000
\$21,000 to rehabilitate the floor of the food storage room inside			
the kitchen.			
Safe Alternatives to Violent Environments: Requesting	\$18,000		\$18,000
\$18,000 to paint the exterior of its shelter and replace a fence			
used for safety and confidentiality of the residents.			
Seventh Step Foundation, Inc.: Requesting \$8,200 to expand	\$8,200	\$0	\$8,200
the kitchen and widen the doorway of a meeting room at their			
comprehensive transitional shelter for homeless indigent			
parolees, located in Hayward.			
Tri-City Health Center: Requesting \$144,843 in FY 2010/11	\$144,843	\$266,620	\$411,463
and \$266,620 in FY 2011/12 to renovate their Mowry clinic.			
Renovations include remodeling the front desk area, expanding			
the waiting room area, adding new exam rooms, and updating			
flooring, rest rooms, and cabinets.			
Capital project subtotal:		, and the second	\$1,655,167
Emerging capital projects reserve:	\$292,193	\$459,120	\$751,313

Public Service Project Funding Recommendations: Under CDBG regulations, a maximum of 15% of the City's CDBG entitlement and program income received during the preceding year may be spent for eligible public service projects. Consistent with CDBG regulations, the public service project funding available in both FY 2010/11 and FY 2011/12 is \$269,016, for a total of \$538,032 over the next two fiscal years.

Of this amount, the CAC and staff are recommending \$75,516 in both FY 2010/11 and FY 2011/12 for housing public service projects, for a total of \$151,032 over the next two fiscal years. The CAC and staff are recommending two years of funding for Project Sentinel, SEEDS Community Mediation and ECHO's Rental Assistance and Home Equity Conversion programs.

Approximately \$193,500 is available in both FY 2010/11 and FY 2011/12 for non-housing public services, which provide direct service to low and moderate income households, for a total of \$387,000 over the next two fiscal years. Of the \$193,500 yearly amount, approximately \$101,403 per year is allocated through the Social Service Grant program (see Exhibit 2 – CDBG Program Sources and Uses Chart). The Human Relations Commission and Senior Citizens Commission will be presenting their respective Social Service Grant funding recommendations on a separate agenda item at tonight's Council meeting. Approximately \$92,097 per year is budgeted for Human Services programs such as Family Case Management and Senior Peer Counseling.

FY 2010/11 & 2011/12 Public Service Recommendations

	Recommended Funding		ling
Proposed Public Service Projects	FY 2010/11	FY 2011/12	<u>Total</u>
Project Sentinel – Fair Housing Service: Requesting \$50,000 in FY 2010-12 to administer the Fremont Fair Housing program. The remaining \$30,000 will be funded by CDBG administrative funds.	\$20,000	\$20,000	\$40,000
Eden Council for Hope and Opportunity – Home Equity Conversion: Requesting \$17,295 in FY 2010/11 and \$18,160 in FY 2011/12 funds to administer the Home Equity Conversion (HEC) Program. HEC Counselors help seniors make informed decisions relating to reverse mortgages.	\$16,390	\$16,390	\$32,780
Eden Council for Hope and Opportunity – Rental Assistance Program: Requesting \$21,020 in FY 2010/11 and \$22,070 in FY 2011/12 funds to administer the Rental Assistance Program (RAP), which provides financial management services to clients seeking rental assistance.	\$19,526	\$19,526	\$39,052
SEEDS Mediation Services: Requesting \$20,000 in both FY 2010/11 and FY 2011/12 funds to provide mediation and conciliation services as mandated by the City's Residential Rent Increase Dispute Resolution Ordinance (RRIDRO).	\$19,600		\$39,200
Non-Housing Public Service Projects : Funds to provide various social service grants serving low-income families, elderly, and victims of domestic violence (overseen by the	\$193,500	\$193,500	\$387,000

	D	Department programs: Family Case Management and Senior Peer Counseling.		
Commission) as well as the following Human Service	D			

Microenterprise and Homeownership Recommendations: Approximately \$140,000 is available in both FY 2010/11 and FY 2011/12 for microenterprise and homeownership projects, for a total of \$280,000 over the next two fiscal years. Of this amount, the CAC and staff are recommending \$30,000 per year for the Afghan Coalition, \$30,000 per year for the Community Child Care Coordinating Council of Alameda County (4Cs), and \$30,000 per year for ACAP. Approximately \$50,000 per year is budgeted for the Fremont Family Resource Center Family Economic Success program.

FY 2010/11 & 2011/12 Microenterprise & Homeownership Recommendations

	Recommended Funding		ding
Proposed Microenterprise & Homeownership Projects	FY 2010/11	FY 2010-12	<u>Total</u>
Afghan Coalition: Requesting \$30,000 per year to build and expand their microenterprise program for women, which teaches entrepreneurial skills with the objective of increasing self-sufficiency.	\$30,000	\$30,000	\$60,000
Community Child Care Coordinating Council of Alameda County (4Cs): Requesting \$50,000 per year to provide home-based child care microenterprise development assistance.	\$30,000	\$30,000	\$60,000
Associated Community Action Program (ACAP): Requesting \$30,000 per year to provide Individual Development Account services allowing participants to save for a home, education, or small business development.	\$30,000	\$30,000	\$60,000
Fremont Family Resource Center: Family Economic Success program provides technical assistance to those working toward microenterprise or home ownership.	\$50,000	\$50,000	\$100,000
Microenterprise & Homeownership Subtotal:	\$140,000	\$140,000	\$280,000

CDBG Administration Funding: Under CDBG rules, a maximum of 20% of the City's CDBG entitlement, plus 20% of the anticipated program income may be spent for CDBG program administration, including fair housing activities, which is a HUD-mandated project. In addition to developing and administering CDBG projects and providing technical assistance to grant recipients, staff monitors all ongoing projects for compliance with federal and other funding requirements and ensures submittal of CDBG program reports to HUD. The administration budget is \$358,689 in both FY 2010/11 and FY 2011/12, which is consistent with CDBG regulations.

FY 2010/11 & 2011/12 Administration Recommendations

	Recommended Funding		ding
Proposed Administration Projects and Costs	FY 2010/11	FY 2011/12	<u>Total</u>
CDBG Administration: The administration portion of the budget includes \$328,689 to administer the City's CDBG program and maintain compliance with federal regulations. It also includes \$30,000 in funding for the fair housing portion of Project Sentinel's Fair Housing and Tenant Landlord Services.	\$358,689	\$358,689	\$717,378
Administration subtotal:	\$358,689	\$358,689	\$717,378

Summary of CDBG Funding Recommendations

	Recommended Funding		
	FY 2010/11	FY 2011/12	<u>Total</u>
Total (including non-CAC) Recommendations:	\$1,856,252	\$1,334,325	\$3,190,577
Emerging capital projects reserve:	\$292,193	\$ 459,120	\$751,313
TOTAL CDBG FUNDING RECOMMENDATIONS:	\$2,148,445	\$1,793,445	\$3,941,890

FY 2010/11 Action Plan, Proposed Final Statement of Community Development Objectives and *Projected Use of Funds:* Under the 1990 National Affordable Housing Act, cities who are eligible to receive federal funding from housing and community development programs (CDBG, HOME, etc.) administered by the United States Department of Housing and Urban Development (HUD) are required to prepare a yearly Action Plan to report on the programs and activities that address community development and affordable housing needs. The Action Plan must include information on federal, state and local funding sources for community development and affordable housing activities, a description of activities to be undertaken using federal funding sources, a description of other actions the City will be taking to reduce barriers to affordable housing, lead-based paint hazards and poverty, and efforts to improve institutional structure, public/private coordination and public housing resident initiatives. The City's Draft FY 2010/11 Action Plan is enclosed as Exhibit 3. The City is also required to submit a Proposed Final Statement of Community Development Objectives and Projected Use of Funds (Exhibit 4).

FY 2010-2014 Strategic Plan: The Strategic Plan is a five-year planning document required by HUD to guide the City's annual Action Plans and set Community Development Block Grant and HOME funding priorities for affordable housing needs, community development needs, homeless needs, and economic development needs. The FY 2010/11 Action Plan described above will be the first plan of the next five-year (2010-2014) Strategic Plan period. The Strategic Plan is enclosed (Exhibit 5). After substantial review, staff is recommending the City Council keep its current funding priorities, as adopted by the

City Council in 2005. These broadly worded funding priorities provide substantial flexibility for the City to meet any changing needs over the next five years. The funding priorities are as follows:

1. Priority Affordable Housing Needs

- a. Assist low and moderate income first-time homebuyers
- b. Preserve existing affordable rental and ownership housing for low and moderate-income households.
- c. Increase the availability of affordable rental housing for low and moderate-income households.
- d. Reduce housing discrimination.

2. Priority Community Development (Non-Housing) Needs

- a. Public Facilities and Improvements provide funds to assist nonprofit agencies providing critical services to the community to meet their capital improvement needs in order to increase or enhance service delivery. Types of projects include child care centers, emergency shelters, vocational and rehabilitation centers for the disabled and frail elderly, food distribution centers, and health clinics.
- b. Public Services provide funds to various social service agencies serving low and moderate income Fremont residents. Types of services include child care, health care, senior services, food and other basic needs services, shelter services and family counseling services.

3. Priority Homeless Needs

- a. Maintain, improve and expand (as needed) the capacity of housing, shelter and services for homeless individuals and families including integrated healthcare, employment services and other services.
- b. Maintain and expand activities designed to prevent those currently housed from becoming homeless.
- c. Build on inter-jurisdictional cooperation to achieve housing and homeless needs.

4. Priority Supportive Housing Needs

a. Increase the availability of service-enriched housing for persons with special needs.

5. Priority Economic Development Needs

a. Support economic development activities benefiting low and moderate income households to the extent possible.

Strategic Plan Development: In determining funding priorities for each need, Human Services staff conducted a Social Service Safety Net Survey (October 2009) and also worked with other City staff with specific areas of expertise. Office of Housing and Redevelopment (OHR) staff was consulted on affordable housing issues. The City also received input from the City's Aging and Family Services Division in regards to senior needs. Staff also incorporated relevant City needs assessments and planning documents such as the Housing Element (updated in July 2009), the Redevelopment Agency Implementation Plan (adopted June 10, 2003), and the Alameda County-Wide Homeless Count and Survey Report (December 2009).

Public Hearings: As a member of the Alameda County HOME Consortium (Consortium), the City participates in the Consortium's county-wide citizens participation process as well as its own process for the purpose of developing the Strategic Plan. Public hearing efforts included the following:

- On December 9, 2009, in conjunction with its FY 2010/11 CDBG Funding Orientation, the CAC held a public hearing on housing and community development needs. The public hearing was attended by ten community agencies. Comments were received regarding the need for owner-occupied housing rehabilitation, public facilities, microenterprise and individual development account assistance for low-income families.
- 2. On December 21, 2009, the Human Relations Commission held a public hearing and reviewed the results of the Social Service Safety Net Survey. No further comments were received.
- 3. On January 12, 2010, the Consortium's HOME Technical Advisory Committee (HOME TAC) held a pre-draft public hearing. The public hearing consisted of an overview of the Strategic Plan and request for input on housing and community development needs in the Consortium. No comments were received during this meeting.
- 4. From April 5, 2010 through May 4, 2010, the Consortium held a 30-day public comment period for both the Action Plan and Strategic Plan. All Consortium member Action Plans were distributed to all cities, main library branches in Alameda County, HUD and any interested citizens, organizations, or agencies. No comments have been received to date.

FISCAL IMPACT: The City's FY 2010/11 CDBG entitlement is an 8% increase from FY 2009/10. There is no match requirement for this funding. The appropriation of the funds will be included in the proposed FY 2010/11 City budget, and contingent upon adoption by the City Council in June 2010.

ENVIRONMENTAL REVIEW: All CDBG-funded projects listed on this staff report are subject to environmental review procedures pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended, and implementing regulations set forth in 24 CFR Part 58.

ENCLOSURES:

- Draft Resolution
- Exhibit 1: Citizens Advisory Committee and staff project analysis recommendations
- Exhibit 2: CDBG Program Sources and Uses Chart
- Exhibit 3: Proposed FY 2010/11 CDBG Action Plan
- Exhibit 4: Proposed Final Statement of Community Development Objectives and Projected Use of Funds
- Exhibit 5: Proposed FY 2010-2014 Consolidated Plan

RECOMMENDATION:

- 1. Hold a public hearing on the proposed FY 2010/11 CDBG Program Final Statement of Community Development Objectives and Projected Use of Funds.
- 2. Allocate CDBG funds for FY 2010/11 and FY 2011/12 in the amounts stated herein, contingent upon the respective adoption of the FY 2010/11 and FY 2011/12 budgets by the City Council.
- 3. Adopt a resolution approving, and authorizing the City Manager or his designee to submit, the FY 2010/11 CDBG Program Final Statement of Community Development Objectives and Projected Use of Funds, the FY 2010-2014 Consolidated Plan, and the CDBG Action Plan as recommended by the Citizens Advisory Committee and staff in the amounts stated herein.

- 4. Adopt a resolution authorizing the City Manager or his designee to execute a FY 2010/11 CDBG funding agreement with HUD.
- 5. Adopt a resolution authorizing the City Manager or his designee to execute agreements, effective July 1, 2010, with the grantees recommended for funding by staff and the Citizens Advisory Committee in the amounts set forth herein, contingent upon a finding of no significant impact in the corresponding environmental assessments and completion of the required public comment period as amended by HUD, and contingent upon adoption of the budget for FY 2010/11 and, if applicable, FY 2011/12.

*2.6 ACCEPTANCE OF FY 2010/11 FEDERAL SHP FUNDING FOR HOPE PROJECT
Adopt a Resolution Accepting FY 2010/11 Federal Supportive Housing Program (SHP)
Renewal Funding for the Homeless Outreach for People Empowerment (HOPE) Project
and Authorizing the City Manager to Execute Agreements with HUD and Partner Agencies

Contact Person:

Name: Lucia Hughes Suzanne Shenfil

Title: CDBG Administrator Director

Dept.: Human Services Human Services Phone: 510-574-2043 510-574-2051

E-Mail: lhughes@fremont.gov sshenfil@fremont.gov

Executive Summary: The purpose of this report is to request the City Council's approval to accept \$269,790 in FY 2010/11 Federal Supportive Housing Program (SHP) renewal funding to continue to implement the Homeless Outreach for People Empowerment (HOPE) Project. Staff also recommends that the City Council authorize the City Manager to execute agreements with the Department of Housing and Urban Development and HOPE Project partner agencies.

BACKGROUND: Since July 1, 1999, the U.S. Department of Housing & Urban Development (HUD) has awarded annual SHP funding for the HOPE Project. SHP funding for supportive services is awarded through a competitive process and has been reduced substantially in recent years. The HOPE project was again selected for continued funding this year because of its excellent track record in meeting the needs of South and East County's homeless population.

The HOPE Project is a collaborative partnership that provides services to homeless people in the Tri-City area and East County from a state-of-the-art mobile clinic. The City is the lead agency and fiscal sponsor for the project. Services are provided by Tri-City Health Center and Abode Services, formerly known as Tri-City Homeless Coalition. Alameda County Behavioral Health Care Services (ACBHCS) provides match funding of \$16,780 to the project.

DISCUSSION/ANALYSIS: The HOPE Team provides services to approximately 750 homeless or near homeless families and individuals in the Tri-Cities and East County each year. The HOPE project targets the homeless person or family who is living on the streets and is in need of accessible comprehensive services, including health checks, mental health treatment, detoxification/substance abuse treatment, and case management to ensure access to housing and other available services.

A multi-disciplinary team consisting of a Project Service Coordinator, a Nurse Practitioner, two Mental Health Outreach Workers, and an Outreach Intake Worker provide integrated services for homeless persons needing assistance. To increase effectiveness, the interdisciplinary team is mobile, traveling in a state-of-the-art mobile clinic to locations where homeless persons congregate, including meal and food distribution sites such as the Irvington Free Breakfast Program and the Centerville Free Dining Program. The team also visits specific locations when calls are received from law or code enforcement personnel or local businesses, and motels where families are staying who have been placed on a waiting list to enter a shelter program. South and East County homeless providers have adopted this mobile approach to providing services because the homeless in South and East County are dispersed and have difficulty

accessing services in centralized locations. The City of Fremont, through the Human Services Department, plays a coordinating and facilitating role and oversees utilization of the grant funds, but does not provide services directly to clients under the grant. This project is part of the City's effort to end homelessness, consistent with the EveryOne Home Plan adopted by Council on December 12, 2006.

FISCAL IMPACT: HUD has renewed the HOPE Project's SHP Grant for FY 2010/11 for a total of \$269,790. The appropriation of funding for the HOPE Project will be included in the proposed FY 2010/11 City budget, to be presented to the Council in June 2010. The SHP funds would continue to be used to provide supportive services to homeless clients from July 1, 2010 through June 30, 2011.

The SHP Grant is distributed among the HOPE Project partner agencies. Below is the distribution of funding for FY 2010/11. In addition to receiving SHP Grant funding, each of the City's partner agencies must provide a cash match of at least 20% of their total supportive services budget. Generally the cash match exceeds 20%, and that is again the case this year. Because the City does not provide any supportive services directly, it is not responsible for providing a cash match. As the lead agency and fiscal sponsor, the City is entitled to receive no more than 50% of the administration allocation. The remaining administration allocation is distributed between the Tri-City Health Center and Abode Services. Alameda County Behavioral Health Care Services provides a cash match of \$16,780, which is allocated to Abode Services for a mental health service position. The total contract amount for Abode Services is \$197,550 (\$180,770 + \$16,780).

FY 2010/11 HOPE Project Budget

	Suppor	es	Administration	Total Gra	nt	Suppo Services	Match
Tri-City Health Center	\$ 81,	312	\$ 1,285	\$ 8	32,597	\$	27,328
Abode Services	\$175,	631	\$ 5,139	\$18	80,770	\$	52,732
City of Fremont	\$	0	\$ 6,423	\$	6,423	\$	0
Alameda County BHCS (allocated to Abode Services)						\$	16,780*
Total:	\$256 ,	943	\$12,847	\$26	59,790		\$96,840

The distribution of funding between Tri-City Health Center and Abode Services is based on an estimated HOPE project activity level for FY 2010/11. However, one agency may sometimes obtain additional funding from an outside source, freeing up SHP funding that could be provided to the other recipient agency. Accordingly, staff requests that the City Council provide staff with the authority to transfer SHP funding between the two partner agencies (Tri-City Health Center and Abode Services) in an amount not to exceed 10% of the total SHP support services budget, or \$25,694. The total combined amount of both agreements would remain within the total SHP budget. Appropriation of this funding will be included in the proposed FY 2010/11 operating budget for the Council's consideration.

ENVIRONMENTAL REVIEW: N/A

ENCLOSURE: Draft Resolution

RECOMMENDATION:

- 1. Adopt a resolution accepting FY 2010/11 Federal SHP funding in the amount of \$269,790 and authorizing the City Manager or designee to execute an agreement with the Department of Housing and Urban Development in the amount of \$269,790.
- 2. Authorize the City Manager or designee to execute agreements with Abode Services in the amount of \$197,550 and Tri-City Health Center in the amount of \$82,597, effective July 1, 2010 through June 30, 2011, as set forth in the staff report and contingent on receipt and appropriation of funding.
- 3. Authorize the City Manager or designee to transfer SHP funding between Tri-City Health Center and Abode Services in an amount not to exceed 10% of the total SHP supportive service budget, or \$25,694.

*2.7 FY 2010/11 HUMAN RELATIONS COMMISSION GRANT RECOMMENDATIONS Referral from the Human Relations Commission: Adopt a Resolution Approving the Recommendations for FY 2010/11 Human Service Grant Funding and Authorizing the City Manager to Execute Agreements with Non-Profit Agencies

Contact Person:

Name: Leticia Leyva Suzanne Shenfil

Title: Management Analyst Director

Dept.: Human Services Human Services Phone: 510-574-2072 510-574-2051

E-Mail: lleyva@fremont.gov sshenfil@fremont.gov

Executive Summary: The Human Relations Commission (HRC) has developed its FY 2010 - 2013 Human Service Grant funding recommendations. The HRC reviewed nineteen (19) proposals and is recommending that fourteen (14) programs receive funding. These recommendations comprise a total FY 2010/11 Human Service Grant budget of \$490,233, which is unchanged from FY 2009/10.

BACKGROUND: Since the late 1970s, the City of Fremont has administered a grant program to agencies (not-for-profits) for the delivery of social services to Fremont residents, including basic needs services that help people with the fewest resources and who are most in need; crisis intervention services that help people who are in crisis and most at-risk of losing their independence; and prevention and supportive services designed to foster independence and/or prevent people from needing social services in the future.

The City awards Human Service Grants on a three-year funding cycle. FY 2010/11 will be the first year of the next cycle. All grant agreements are for one year. No agency funded in the first year of this cycle is assured continued funding. The Request for Proposals (RFP) instructions clearly state that subsequent funding recommendations are contingent upon satisfactory completion of contract service goals, completion of administrative requirements, and funding availability. The Commission makes annual recommendations to continue or discontinue funding based on these criteria, and the City Council takes specific actions to consider and approve Commission recommendations.

FY 2010–2013 Human Service Grant Funding Process: On December 1, 2009, staff and the HRC issued a Request for Proposals (RFP) for social services over the next three fiscal years (FY 2010/11, 2011/12 and 2012/13). The availability of funds was advertised in the Tri-City Voice newspaper, the City's web page, the City's cable channel and an extensive mailing to social service agencies serving Fremont residents.

The RFP process was completed as follows:

- 1. RFP materials were made available to the public beginning December 1, 2009.
- 2. On December 2, 2009, staff conducted a grant proposal workshop for prospective Social Service Grant applicants. The workshop gave new applicants the opportunity to understand the proposal process, including proposal criteria and the HRC's role in the process. Twenty-four (24) prospective applicants attended the workshop.

- 3. Proposals for Human Service Grant funding were due on January 20, 2010 at 5:00 PM. Nineteen (19) proposals were submitted (see Exhibit 1 for list of agency service descriptions).
- 4. During February and March 2010, Commissioners, along with staff, independently reviewed proposals and developed supplemental questions for applicants to answer. The HRC evaluated each proposal based on the following criteria:
 - The proposed program will produce outcomes that meet a priority community need
 - The agency demonstrates effective service and management capability
 - The agency or parent organization demonstrates good fiscal strength
 - The agency successfully leverages City funding to bring funding to Fremont
 - The agency or program has a substantial presence in the Fremont community
 - The agency has local support and community ownership
 - The agency collaborates with the City to improve service delivery

 Each Commissioner scored the agencies based on the proposal criteria on a scale of 1 to 100

(100 being the highest). Ratings were then averaged and used as a starting point to help determine funding priorities for FY 2010–2013.

- 5. On March 1, 2010 and March 8, 2010, the HRC conducted two public hearings to interview agencies regarding their proposals.
- 6. On March 15, 2010, the HRC held a public hearing to develop recommendations for City Council consideration and approval. In accordance with the RFP instructions, the average proposal scores were used as a starting point for the Commissioners to discuss and formulate their recommendations.

DISCUSSION/ANALYSIS: The HRC had extremely difficult decisions to make, with funding requests (\$867,600) that far exceeded the amount available (\$490,233). In presenting proposals, service providers concurred with the outcome of an on-line survey conducted by the HRC in 2009 which indicated that, given the economic recession, the majority of social safety net providers are experiencing a 21% increase in service demand. Of the 19 proposals submitted, 14 were recommended for funding. After discussing several possible funding options, the HRC decided to fund 13 currently funded agencies which continue to perform well, and one new funding request from Bay Area Women Against Rape (BAWAR). BAWAR provides critical support to victims of sexual assault, such as a 24-hour sexual assault hotline, support at Highland Hospital, where examinations are conducted, and coordination with law enforcement agencies. However, their current location in Oakland makes it difficult for Fremont victims to receive on-going supportive counseling. With funds provided by the City and with office space provided by the District Attorney, BAWAR will now be able to establish a local presence in Fremont. This will make it easier and more likely that victims will receive the on-going support they need.

FY 2010/11 Human Service Grant Funding Recommendations

	Proposal Score	Amount Requested	FY 2010/11 Amount
V:Janaa	05.1	¢100 000	Recommended
Kidango Abode Services	95.1 94.9	\$100,000 \$155,929	\$60,482
SAVE	93.6	\$60,000	\$148,133 \$38,203
Tri-City Free Breakfast	92.8	\$18,000	\$14,847
•		,	,
Tri-City Health-HIV Program	91.4	\$35,000	\$11,902
East Bay Agency for Children- Fremont Healthy Start Deaf Counseling, Advocacy &	90.3	\$70,000	\$24,925
Referral Agency	89.8	\$58,125	\$16,007
FamilyPaths	89.1	\$25,000	\$17,066
Community Resources for		,	
Independent Living	88.3	\$10,000	\$10,000
Afghan Coalition	87.0	\$40,000	\$23,702
Bay Area Community Services- South County Creative Living			
Center	85.2	\$35,000	\$29,450
Child Abuse Listening, Interviewing and Coordination Center	g 82.7	\$20,000	\$0
Bay Area Women Against Rape	82.3	\$40,000	\$20,000
Tri City Volunteers	81.7	\$110,000	\$65,516
East Bay Agency for Children-Child Assault Prevention Program Fremont/Newark YMCA	d 81.7 72.7	\$25,851 \$30,000	\$10,000 \$0
Herald Family Rebuilding Center	66.0	\$24,195	\$0
Seventh Step Foundation-Job	22.2	Ţ — ·, - / C	Ψ.
Developer	63.8	\$6,500	\$0
Seventh Step Foundation-Food	63.3	\$4,000	\$0
Tota		\$867,600	\$490,233

FISCAL IMPACT: These recommendations comprise a total FY 2010/11 Human Service Grant budget of \$490,233, of which \$464,597 is funded by General Funds and \$25,636 from CDBG Funds. This budget remains the same as the FY 2009/10 Human Service Grants budget.

ENVIRONMENTAL REVIEW: All CDBG-funded projects listed on this staff report are subject to environmental review procedures pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended, and implementing regulations set forth in 24 CFR Part 58.

ENCLOSURES:

- Draft Resolution
- Exhibit 1: HRC 2010–2013 Agency Descriptions By Average Proposal Score

RECOMMENDATION: Adopt a resolution:

- 1. Allocating the FY 2010/11 Human Service Grant funding as recommended by the Human Relations Commission, subject to adoption of the City's FY 2010/11 budget, by the City Council.
- 2. Authorizing the City Manager or designee to execute agreements with recommended non-profit agencies, effective July 1, 2010 through June 30, 2011, and any other implementing documents, as set forth in the staff report.

*2.8 FY 2010/11 SENIOR CITIZENS COMMISSION GRANT RECOMMENDATIONS
Referral from the Senior Citizens Commission: Adopt a Resolution Approving the
Recommendations for FY 2010/11 Senior Service Grant Funding and Authorizing the City
Manager to Execute Agreements with Non-Profit Agencies

Contact Person:

Name: Leticia Leyva Suzanne Shenfil

Title: Management Analyst Director

Dept.: Human Services Human Services Phone: 510-574-2072 510-574-2051

E-Mail: lleyva@fremont.gov sshenfil@fremont.gov

Executive Summary: The Senior Citizens Commission (SCC) has developed its FY 2010-2013 Senior Service Grant funding recommendations. The SCC reviewed eight proposals and is recommending that six currently funded agencies continue to receive funding. These recommendations comprise a total FY 2010/11 Senior Service Grant budget of \$172,227. The funding level remains the same as the FY 2009/10 Senior Service Grant funding level.

BACKGROUND: Since the late 1970s, the City of Fremont has administered a grant program to agencies (not-for-profits) for the delivery of social services to Fremont residents, including basic needs services that help people with the fewest resources and who are most in need; crisis intervention services that help people who are in crisis and most at-risk of losing their independence; and prevention and supportive services that are designed to foster independence and/or prevent people from needing social services in the future.

The City awards Senior Service Grants on a three-year funding cycle. FY 2010/11 represents the first year of the next cycle. All grant agreements are for one year. No agency funded in the first year of this cycle is assured continued funding. The Request for Proposals (RFP) instructions clearly state that subsequent funding recommendations are contingent upon satisfactory completion of contract service goals, completion of administrative requirements, and funding availability. The Commission makes annual recommendations to continue or discontinue funding based on these criteria, and the City Council takes specific actions to consider and approve Commission recommendations.

FY 2010–2013 Senior Service Grant Funding Process: On December 1, 2009, staff and the SCC issued a Request for Proposals (RFP) for social services over the next three fiscal years (FY 2010/11, 2011/12 and 2012/13). The availability of funds was advertised in the Tri-City Voice newspaper, the City's web page, the City's cable channel and an extensive mailing to social service agencies serving Fremont residents. The RFP process mirrors the time line and activities of the Human Relations Commission.

DISCUSSION/ANALYSIS: The SCC had extremely difficult decisions to make, with funding requests (\$271,807) that far exceeded the amount available (\$172,227). The proposal scores ranged from a low of 29.3% to a high of 96.8%. After developing several possible funding scenarios, of the 8 proposals submitted, the SCC decided to recommend the top 6 scoring proposals for funding.

FY 2010/11 Senior Service Grant Funding Recommendations

	Proposal Score	Amount Requested	FY 2010/11 Amount
LIFE ElderCare	96.8	\$89,000	Recommended \$86,227
Tri City Health-Senior Screening	83.1	\$21,102	\$21,000
•			
Legal Assistance for Seniors Deaf Counseling, Advocacy and	81.1	\$14,500	\$10,000
Referral Agency	78.0	\$54,425	\$10,500
BACS-Adult Day Care	77.1	\$45,000	\$37,000
Lavender Seniors of the East Bay	64.9	\$10,600	\$7,500
Fremont/Newark YMCA	36.4	\$27,280	\$0
Senior Health Education Association	29.3	\$9,900	\$0
Total:		\$271,807	\$172,227

FISCAL IMPACT: The Senior Citizens Commission recommends a FY 2010/11 Senior Service Grant budget of \$172,227. These recommendations comprise a total FY 2010/11 Senior Service Grant budget, which includes \$75,767 in Community Development Block Grant funds, \$49,000 in General Funds and \$47,460 in Measure B Paratransit funds. This grant budget remains the same as the FY 2009/10 Senior Service Grant budget. Funding for the Senior Service Grants will be included in the City's proposed FY 2010/11 budget, subject to its adoption by Council.

ENVIRONMENTAL REVIEW: All CDBG-funded projects listed on this staff report are subject to environmental review procedures pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended, and implementing regulations set forth in 24 CFR Part 58.

ENCLOSURES:

- Draft Resolution
- Exhibit 1: SCC 2010–2013 Agency Descriptions By Average Proposal Score

RECOMMENDATION: Adopt a resolution:

- 1. Allocating the FY 2010/11 Senior Service Grant funding as recommended by the Senior Citizens Commission, subject to adoption of the FY 2010/11 budget.
- 2. Authorizing the City Manager or his designee to execute agreements with recommended non-profit agencies, effective July 1, 2010 through June 30, 2011, as well as any implementing documents, as set forth in the staff report.

5.1 APPEAL OF MAR LARGE FAMILY DAY CARE HOME ZONING ADMINISTRATOR PERMIT APPROVAL – 36940 ALLEN COURT

Public Hearing (Published Notice) to Consider a Third Party Appeal of a Planning Commission Decision to Uphold the Zoning Administrator Approval of a Zoning Administrator Permit to Allow a Large Family Day Care Home in an Existing Single-Family Dwelling (Original Zoning Administrator Permit Case No. MIS2010-00304; Appeal Case No. PLN2010-00151)

Contact Person:

Name: Steve Kowalski Jeff Schwob
Title: Associate Planner Planning Director

Dept.: Community Development Community Development

Phone: 510-494-4532 510-494-4527

E-Mail: skowalski@fremont.gov jschwob@fremont.gov

Executive Summary: This is a third party appeal of the Planning Commission's decision to uphold the approval of a large family day care home permit issued by the Zoning Administrator on December 21, 2009. On February 25, 2010, the Planning Commission voted 3-2 (with one commissioner abstaining and one recusing) to deny an appeal of the Zoning Administrator's approval of a permit to operate a large family day care home at the subject address. Both appeals were filed by a neighbor residing on Allen Court who asserts that the proposed day care home will increase traffic and have a significant adverse impact on the safety and quality of life of the people residing along the court. California state law, however, strictly limits the City's consideration of such potential impacts. Because the proposed use meets the City's standards for large family day care homes adopted in accordance with the applicable state laws, and because the City cannot consider traffic impacts from the project under state law, the application must be approved.

BACKGROUND: The house on the property was built in 1939 before the City was incorporated. In 2007, the applicant applied for a conditional use permit (Case No. PLN2007-00181) to operate a commercial nursery school and childcare facility for up to 30 children at the site, but chose not to proceed with that application because it was determined to be infeasible for various reasons that arose during the application review process. The house is currently being remodeled with building permits that were issued by the City in November 2009 and is nearing completion.

On December 21, 2009, the Zoning Administrator approved a permit to operate a large family day care home for up to 14 children ages 2-6 at the property (Case No. MIS2010-00304). Before approving the permit, the Zoning Administrator heard opposition from six neighbors during the hearing, all of whom reside on Allen Court (see Informational Item #2 for the minutes of this hearing). On January 4, 2010, a third party appeal of this decision was filed by the neighbor residing at 36943 Allen Court on behalf of the residents who spoke in opposition to the project at the Zoning Administrator hearing. The Planning Commission heard this appeal on February 25, 2010 and voted 3-2 to deny it and uphold the Zoning Administrator's approval (see Informational Item #6 for the minutes of this hearing). On March 8, 2010, the appellant filed an appeal of the Planning Commission's decision to the City Council on the grounds that the Commission did not adequately address potential impacts the proposed use could have on traffic

safety and the safety of the residents of Allen Court, as well as the condition of the pavement that serves as access to the properties along the court.

DISCUSSION/ANALYSIS:

Project Description: The applicant is requesting approval of a permit under Fremont Municipal Code (FMC) Section 8-2603.1 to operate a large family day care home in the R-1-6 zoning district. The applicant had originally proposed to lease the property to a day care service provider who also operates a day care facility on another property in the City, but the prospective tenant recently decided to relocate elsewhere for personal reasons. Now the applicant, who currently operates a large family day care home in north Fremont, will be relocating her own business to the property instead. The facility would be open Monday through Friday from 8:00 AM to 5:30 PM and have a maximum capacity of 14 children ranging in age from 2-6. Outdoor recess will be limited to twice per day (one 60-minute session in the morning and another in the afternoon), and will be held in the rear yard of the property behind the house. A new wood fence will be built around the perimeter of the yard to screen the play area from the view of the street and provide privacy for the neighboring properties.

The subject property is unusually large for a single-family lot, measuring nearly half an acre. The front yard is also large, and the applicant will maintain a semi-circular, horseshoe-shaped driveway in front of the house to provide ample room off the street for parents to drop off and pick up their children and turn their vehicles around on the property. The home has an existing two-car garage that will serve as the parking for staff (in addition to the applicant, one other adult is always on the premises), with the driveway leading to the garage serving as additional customer parking if it is needed. As a condition of approval, the applicant will be required to install a "No Parking" sign directly in front of the house to help ensure that parents do not park along the street and block traffic entering and exiting the court when travelling to and from the facility.

General Plan Conformance: The existing General Plan Land Use designation for the project site is Low Density Residential 5 to 7 dwelling units per acre. As required by state law, the City's General Plan allows large family day care homes on all land designated for residential uses. Accordingly, the proposal is consistent with the General Plan.

Zoning Compliance: FMC Section 8-22147.5 provides specific standards for large family day care homes designed to minimize their impact on neighboring properties. These standards address spacing of facilities, parking requirements, noise, location and use of outdoor play areas and playground equipment, fencing and screening.

<u>Spacing</u>: FMC Section 22147.5(a) prohibits large family day care facilities from locating within 300 feet of each other with limited exceptions only in cases where strict findings can be made that having two facilities less than 300 feet apart would not have a significant impact on the neighborhood. In this case, there are no other existing facilities within 300 feet of the subject property, so no findings need be made.

<u>Parking</u>: FMC Sections 8-22147.5(b) and (c) require a minimum of two customer parking spaces while the facility is open for business, in addition to the two covered parking spaces required for the residents of the house in which the facility will be located. In this case, because of the unusually large size of the front yard, a proposed condition of approval will require the applicant to maintain a circular driveway to provide extra room for the vehicles of parents who are dropping off and picking up their children. This

will also enable cars to drive straight out onto the court, rather than having to back out of the driveway and block traffic. The conditions also require that a "No Parking" sign be installed directly in front of the house to prohibit parking along the street. The existing two-car garage will serve as the required parking for the residents of the property.

Noise: FMC Section 8-22147.5(d) limits the hours of outdoor play activity at all family day care facilities from 9:00 AM to 8:00 PM, requires that such activity be supervised by adults, and limits noise to a day-and-night average noise level (L_{dn}) of 60 decibels (db) at the property line. These standards are intended to be consistent with the General Plan which states that the outdoor noise (defined as "unwanted sound") levels in residentially developed areas shall generally maintain a maximum outdoor L_{dn} of 60 db. Conditions of approval have been included which will ensure that the proposed facility complies with all three of these requirements.

Location and Screening of Outdoor Play Areas: FMC Section 8-22147.5(e) limits playground equipment location to the rear yard or interior side yard of the property, while Section 8-22147.5(f) requires screening around all play areas and restricts their use and location from posing a nuisance or causing excessive discomfort for adjacent residents or property owners. All outdoor play activities at the project site will be conducted in the rear and side yards only, and will generally be scheduled for one hour in the morning and one hour in the afternoon. A condition of approval has been included requiring all playground equipment to be kept in the rear yard, and fencing will be required to be erected around the side and rear yards of the property to provide privacy, screen the play areas, and reduce noise impacts on the adjacent properties.

For the reasons discussed above, all of the standards prescribed by FMC Section 8-22147.5 can be made in support of the proposed project.

Planning Commission Action: On February 25, 2010, the Planning Commission heard the appeal and ultimately voted 3-2 (with one Commissioner abstaining and one recusing himself due to conflicts of interest) to deny the appeal and uphold the Zoning Administrator's approval of the permit. The two "No" votes were cast by Commissioners who believed that the alleged impacts to the residents of the court were significant. The Commission discussed the limited discretion the State laws grant local decision-making bodies in conditioning family day care homes to mitigate for such impacts.

Appellant's Basis for Appeal: The appellant and the other neighbors who spoke in opposition to the proposal during the two hearings are particularly concerned about the additional traffic the facility would bring to Allen Court, and the impacts it would have on their everyday lives. The court itself is actually a privately-owned parcel which the appellant owns and which was granted as an access easement benefiting each individual property owner along the court over time to enable them to have direct access to Thornton Avenue. The court's pavement has deteriorated significantly over time and is not currently wide enough to accommodate two vehicles passing each other without one vehicle having to pull off onto the shoulder and yield. As a private access easement, it is also currently without any sidewalks or street lighting and is only illuminated by exterior lighting from the homes along the court.

The appellant argues that the additional traffic from parents dropping off and picking up their children will further damage the pavement and create unsafe conditions for residents who happen to be walking along the court when parents arrive at the site after sunset. He also argues that traffic from parents

coming to and from the home will cause dangerous back-ups along Thornton Avenue since cars trying to enter the court have to wait for cars to exit first because of the unusually narrow entrance to the court from Thornton. He also expresses concern for the possibility that he could be sued as a liable party in the event that there is an accident on the court involving a parent or child since he owns the land on which the pavement is located.

Staff's Analysis: Staff is aware of the substandard condition of Allen Court. However, State Health & Safety Code Section 1597.46(e) requires that the city treat applications for large family day care homes under the same building and fire code standards that apply to single-family dwellings. The only exceptions are those specific topics discussed above (e.g. spacing of facilities, on-site parking requirements, noise, location and use of outdoor play areas and playground equipment, fencing and screening) and the regulations adopted by the State Fire Marshal for large family day care homes. Because the Building and Fire Codes do not require improvements to Allen Court in order to service the dwelling unit on the project site, the City may not condition approval of the project on the installation of improvements to Allen Court, and may not deny the project because of the present substandard condition of Allen Court.

It should be noted that the title reports for all of the properties along Allen court call for each owner to share in the cost of maintaining the pavement along the court. The applicant has offered to contribute financially to the improvement of the pavement on more than one occasion. However, as owner of the parcel on which the court is located, the appellant declined the applicant's offer each time. Since the court is not a public street, the City is not responsible for maintaining it, and any agreements that are ultimately made between the property owners regarding its upkeep are a private matter.

FISCAL IMPACT: The project will not have a fiscal impact on the City or its services.

ENVIRONMENTAL REVIEW: The proposed project is exempt from the California Environmental Quality Act (CEQA) under State Health & Safety Code Section 1597.46(c) and CEQA Guideline 15274 which specifically exempt large family day care homes from environmental review.

PUBLIC NOTICE AND COMMENT: Appeals to the City Council of actions taken by the Planning Commission require public hearing notification pursuant to FMC Article 30. A total of 37 hearing notices were mailed to the owners and occupants of all property located within 300 feet of the project site on Thursday, April 15, 2010. A Public Hearing Notice was also published in the <u>Tri-City Voice</u> on Wednesday, April 14, 2010.

ENCLOSURES:

Exhibits:

• "A" - Recommended Findings and Conditions of Approval

Informational Items:

- <u>1 Project Description prepared by Applicant</u>
- 2 Minutes from 12/21/09 Zoning Administrator Hearing
- 3 Appeal Letter submitted by Appellant (3 pages)
- 4 Letters of Opposition from Neighbors (4 letters, 6 total pages)
- 5 Letters of Support from Parents (7 letters, 7 total pages)
- 6 Minutes from 2/25/10 Planning Commission Hearing
- 7 Project Summary Data

RECOMMENDATION:

- 1. Hold public hearing;
- 2. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Health and Safety Code Section 1597.46(c) CEQA Guideline 15274;
- 3. Find the project is in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals, objectives, and policies set forth in the Land Use section of the City's General Plan as enumerated within the staff report; and
- 4. Deny the appeal and uphold the approval of Zoning Administrator Permit MIS2010-00304 based on the findings and as conditioned by the Zoning Administrator as shown in Exhibit "A".

5.2 APPEAL FROM DENIAL OF A CONDITIONAL USE PERMIT APPLICATION FOR SANGEETAANJALI MUSIC INSTITUTE – 4600 NELSON STREET

Public Hearing (Published Notice) to Consider an Appeal from a Planning Commission Decision to Deny a Conditional Use Permit that would Allow a Portion of an Existing Single-Family Residence to be Used as a Non-Profit Music School with Occasional Concerts and Recitals (PLN2009-00044)

Contact Person:

Name: Steve Kowalski Jeff Schwob
Title: Associate Planner Planning Director

Dept.: Community Development Community Development

Phone: 510-494-4532 510-494-4527

E-Mail: skowalski@fremont.gov jschwob@fremont.gov

._.._..

Executive Summary: This is an appeal of a Planning Commission decision to deny a conditional use permit to operate a music school and hold periodic concerts for up to 150 people in appellant's home. The principle issue is the compatibility of such a music school with the surrounding single family residential neighborhood. Both staff and Planning Commission believe the size and scale of the use are inconsistent with General Plan goals and policies designed to preserve the character of established neighborhoods. The appellant disagrees, believing that the orientation of his home at the end of a block and across from a school, church and park will diminish any negative impacts.

BACKGROUND:

In 2005, the applicant applied for a building permit to do a major remodel and addition of nearly 3,200 square feet to his 1960's home, including a large loft on the second floor overlooking the living room. At that time, he did not tell the City he intended to operate a music school and concert hall at the site. In 2008, when construction of the remodel/addition was nearing completion, a building inspector discovered that the applicant was reconfiguring the space into a concert hall-type floor plan complete with a second-story balcony overlooking a stage area in the living room, and had added multiple bathrooms without permit. When questioned by the building inspector about the bathrooms and balcony, the applicant stated that he operated a music school and had occasional concerts and recitals. At that time, staff informed him that operation of a music school and concert hall within his home was not allowed in the zoning district without an approved conditional use permit.

The applicant applied for a conditional use permit on August 12, 2008, shortly before completing construction of the remodel/addition. He then operated the school and held concerts even though a conditional use permit had not been issued. At the Planning Commission meeting held on September 10, 2009, the applicant stated that he had not held a concert or recital since April 9, 2009, the date of the first Planning Commission meeting.

DISCUSSION/ANALYSIS:

Project Description: The applicant is applying for a conditional use permit so that he may legally operate a music school specializing in Indian classical music out of his home, with 3-6 classes held per day (excluding Sundays) ranging in size from 1 to 4 students each. The arrangement of classes is such that the maximum number of students on a typical weekday would be (10), on Fridays, twelve (12), and

on Saturdays, fifteen (15). Specifically, the school would provide 3 classes per night from Monday through Thursday, and 6 classes on both Friday evenings and Saturday mornings. No classes would occur on Sundays. On weeknights one instructor would teach all 3 classes, while on Fridays and Saturdays the classes would be split between two instructors. One of the instructors is the applicant's wife, while the other is a guest who stays at the house with the family during the weekend when simultaneous classes are held.

In addition to running the music school, the applicant intends to hold musical concerts and recitals inside of the house with performances by the school's students and instructors, and renowned musicians from both the local community and India. According to the applicant, the portion of the home where the concerts and recitals would be held can accommodate an audience of 120 members comfortably and up to a maximum of 150, but he has stated that most performances will not fill every seat. His plan is to hold approximately 10-15 concerts per year from March through October, excluding the month of July when no performances will take place. He has contacted the Fremont Unified School District about the possibility of leasing the parking lot at Walters Junior High School which is located directly across Logan Drive from the site in case parking becomes problematic for the neighbors. However, his intent is to have guests park along Nelson Street in front of the house and along Logan Drive adjacent to both the school and to Noll Park behind the house.

General Plan Conformance: The General Plan land use designation for the project site is Low Density Residential 5-7 Dwelling Units per Acre. This land use designation is intended to provide for traditional single-family residential development while also allowing for uses that are compatible with such development such as schools and churches that are designed in a way so as not to impact the surrounding residential properties. Staff believes that the proposal is inconsistent with the following General Plan Land Use Goal because of the likely impacts the proposed use will have on the surrounding neighborhood:

➤ Land Use Goal H 1 – Conservation and enhancement of existing residential neighborhoods.

Analysis

The intent behind this land use goal is to protect and preserve the character of the City's residential neighborhoods by ensuring that incompatible land uses are not introduced within their boundaries. Non-residential uses such as schools, religious facilities and community centers are allowed in residential neighborhoods subject to a conditional use permit because they must be able to function with minimal impact on the neighbors. Generally, such uses are designed to be self-sufficient and are typically approved subject to a number of conditions intended to reduce impacts on the surrounding neighborhood, including site circulation, set back and parking requirements. In this case the property was developed as a single-family home, and as such, it has insufficient land area to provide the parking, accessibility, required setbacks, and other features that a self-sufficient facility such as a school or religious facility can typically provide on site.

The City does allow home occupations in single family homes; however, the regulations for such are designed to ensure neighborhood compatibility through size and use limitations. Under FMC Section 8-22144, for example, home occupations such as music lessons may not have more than two customer vehicles at a time and no more than 10 customer vehicles per day (allowing an assumed total of 5

students). In addition, the occupation must be carried on in only one room of the house, may not occupy more than one-fourth of the floor area, and must be conducted solely by a resident of the home.

The use proposed by the applicant could not qualify as a home occupation because it does not meet these parameters. The applicant would employ one outside instructor, use multiple rooms in the house, and accommodate class sizes and numbers of classes that would generate both more concurrent and more aggregate vehicle trips than is allowed for a home occupation. The projected number of students (10-15 per day) coupled with the proposal to conduct concerts attracting audiences of between 50 and 150 is not a compatible land use for a residential neighborhood.

Zoning Compliance: The project site is located within the R-1-6 zoning district. The R-1-6 zone only allows quasi-public uses subject to approval of a Conditional Use Permit. (FMC Section 8-2603) The proposed non-profit music school is defined as a "quasi-public use." (FMC Section 8-2199.19.7) In order to approve a Conditional Use Permit the decision-making body must make the following findings:

- (a) The proposed use is consistent with the General Plan;
- (b) The site is suitable and adequate for the proposed use;
- (c) The proposed use and design would not have a substantial adverse effect on vehicular (including bicycle) or pedestrian circulation or safety, on transit accessibility, on the planned level of service of the street system or on other public facilities or services;
- (d) The proposed use would not have a substantial adverse economic effect on nearby uses;
- (e) The proposed use would not be detrimental to the general welfare of persons residing in the immediate vicinity, the neighborhood, or the community at large; and
- (f) The project will comply with the provisions of Article 27 of the Zoning Ordinance (Site Plan and Architectural Approval).

Staff's Analysis:

- (a) General Plan and Zoning Consistency: As discussed in the General Plan Conformance Analysis section above, it is staff's opinion that the proposal to run a music institute and conduct concerts out of the applicant's home is inconsistent with the General Plan's goals to protect the character of the City's established residential neighborhoods. In staff's opinion the use would have an adverse impact on the neighborhood because of the likely impacts the traffic, parking, and possibly noise, may have on the neighboring properties. Similarly, approval of a Conditional Use Permit for a "quasi-public use", in this case a non-profit music school with a concert hall, would require conformance with zoning requirements for such a use as discussed below.
- (b) Site suitability and adequacy: Staff believes the intended use of the home as an occasional concert hall is inappropriate for a residential neighborhood. The applicant has indicated that the concert hall portion of the floor plan can accommodate 120 people comfortably and up to 150 if necessary, and this could result in anywhere from 30-40 vehicles coming to the neighborhood and parking along the street. The house has a 2-car garage and a 2-car driveway, but no additional on-site

parking. On-street parking is available on all of the adjacent streets. Therefore, when a performance is held at the house, it is likely that some 30-40 cars would park along the adjacent streets as close to the site as possible, and this could make it difficult for adjacent neighbors or their visitors to park on the street close to their homes. It is also important to note that other quasipublic uses such as religious facilities and community buildings are only permitted in residential districts on lots located along or adjacent to arterial roads and of a size large enough to accommodate their own parking, setbacks and open space on site. These requirements are designed to enable such uses to fit into the surrounding residential neighborhood without overwhelming the adjacent properties or overburdening the street system. The subject lot was originally created to accommodate a single-family residence, and as such, is unable to accommodate the features typically required of quasi-public uses such as on-site parking and open space It is for these reasons that staff feels the site is not suitable for the proposed use.

- (c) Impact on vehicular (including bicycle) or pedestrian circulation or safety, on transit accessibility, on the planned level of service of the street system or on other public facilities or services: The proposed use of the home as a music school with 10-15 students coming and going from the premises per day would not have a significant adverse impact on vehicular or pedestrian safety, transit services, or roadway capacity. Concerts and recitals drawing audiences of up to 150 patrons held approximately once each month would also likely not overburden the streets or impact public safety in that the performances would be held on evenings and weekends when schoolchildren and vehicular traffic travelling to and from the adjacent school are not present in the area.
- (d) Economic impact on nearby uses: It is likely that operation of a music school and concert hall in a residential neighborhood will impact the value of surrounding homes.
- (e) Impact to the general welfare of persons residing in the immediate vicinity, the neighborhood, or the community at large: The applicant's business plan proposes a total of 24 classes per week inside the home, with class sizes ranging from 1-4 students and daily totals ranging from 10-15 students, and the number of instructors varying from one on weeknights to two on Friday evenings and Saturdays. It also proposes 10-15 concerts to be held per year, with a maximum audience size of 150 patrons.

Staff believes the project will have a negative impact for the following reasons: the proposed number of students per day is substantially greater than the number of students allowed in a residence in conformance with home occupation standards and it does not provide the on-site facilities that a private school typically provides such as on-site parking. Staff is also particularly concerned about the proposal to conduct concerts and recitals in the home, and believes that such events could have a significant impact on the neighborhood because of the demand for parking that will accompany each performance. Assuming an average family size of four members per vehicle with a full house expected for a concert or recital, and it can reasonably be assumed that some 30-40 cars may drive to the site. By comparison, the standard home occupation for an educational business is only entitled to receive two vehicle trips per class and a maximum of 10 trips per day from parents driving their children to and from each session, so allowing 30 or more additional vehicles to come to the site for a single event could have a significant adverse impact on the neighboring residents' ability to park on the street. If a number of concertgoers were to park along Nelson Street or Logan Drive, some of the neighbors would have difficulty parking their cars or

their guests' cars on the street in front of their home. Another important difference between allowing a home occupation in a house in a neighborhood as opposed to granting a use permit for a quasi-public use is that the home occupation permit goes to the individual, while a use permit runs with the land. Once a use permit for a music school and concert hall is issued, it may be transferred without any city oversight or control. Thus it permanently impacts the character of the neighborhood.

(f) Compliance with Article 27 of the Zoning Ordinance: If the City Council chooses to deny the appeal, then this finding will not be applicable. However, if the Council chooses to grant the appeal and approve the application, then the applicant will have to make numerous modifications to the structure in order to comply with current Building and Fire Codes governing educational and assembly uses. In such a case, the applicant will be required to obtain approval from the Building and Fire Departments to ensure compliance with the applicable building and life safety codes.

Planning Commission Action: On April 9, 2009, staff brought the item before the Planning Commission with a recommendation for denial on the grounds that the proposed use was inappropriate for a single-family home in a residential neighborhood, and that the home was not in compliance with the building and fire safety code requirements for a use of this nature. The Planning Commission continued the item in order to give the applicant an opportunity to work with staff regarding land use compatibility as well as building and fire code requirements. The Commission suggested that other venues and off-site parking be explored to address neighborhood compatibility.

Between April and September, the applicant met with staff on a number of occasions to review and consider different options. Eventually the applicant agreed that he would implement the required building and fire safety code upgrades to the property if a use permit were granted, but he was unwilling to eliminate or reduce the size or frequency of the concerts and recitals held at the home as he feels the use is compatible with the neighborhood.

Staff then brought the matter back before the Planning Commission on September 10, 2009 with a recommendation for denial again based on staff's continued opinion that the use was not appropriate for or compatible with a residential neighborhood. During the course of the hearings, several students and members of the public spoke in support of the proposal, and two neighbors spoke in opposition, citing various problems they experienced during the concerts and recitals. The Commission voted unanimously to deny the application based on staff's recommendation. The specific findings that the Commission made in denying the application were as follows:

- (a) The proposed use is inconsistent with the goals and policies of the General Plan designed to preserve the character of established residential neighborhoods in that the applicant is proposing to conduct concerts and recitals with seating for up to 150 audience members, and allowing regularly-scheduled events in one's home with audiences of such a large size is inappropriate for a lot in a neighborhood zoned for single-family residence development because of the impacts that traffic and parking generated by the performances has on the surrounding neighborhood;
- (b) The site is unsuitable and inadequate for the proposed use in that the property only has a 2-car garage and a 2-car driveway, but no additional on-site parking for the approximately 30-40 cars that will drive to the site for the performances and attempt to park along the streets as close to the

site as possible, thereby making it difficult for adjacent neighbors or their visitors to park their cars on the street close to their homes; and

(c) The proposed use would be detrimental to the general welfare of persons residing in the immediate vicinity, the neighborhood, or the community at large in that the proposal to conduct concerts and recitals in the home could have a significant impact on the neighborhood because of the demand for parking that will accompany the events. Assuming an average family size of four members per vehicle with a full house expected for a concert or recital, and it can reasonably be assumed that some 30 cars may drive to the site. Allowing 30 or more vehicles to come to the site for regularly-scheduled concerts would be inconsistent with Municipal Code Section 8-22144 which governs Home-based Occupations, and would have a significant adverse impact on the neighboring residents' and their guests' ability to park along the street.

The applicant appealed this decision on September 18, 2009. He requested a stay of the appeal because he was traveling out of the country for a long period of time. He is now returned, and is requesting that the City Council reverse the decision of the Planning Commission and approve the Conditional Use Permit. If the Council decides to grant the appeal, then it should direct staff to return on May 11, 2010 with findings and conditions of approval in support of the application.

Applicant's Basis for Appeal: The applicant disagrees with the Planning Commission's findings that the project will have a negative impact on the neighborhood, and has prepared a letter explaining the grounds for his appeal (see Informational Item #4). In his opinion, the use of his home as a school would not have an adverse impact on the neighborhood because of the fact that his lot is on the end of the street with a school, church and park located opposite and adjacent to the property, thus enabling his guests to park in front of these facilities without impacting the neighboring properties. He has stated that he frequently reminds his patrons to park along Logan Drive adjacent to these non-residential properties so as not to adversely impact the neighbors, and he feels that as long as his patrons do this, the use will not have a negative impact on the neighborhood.

He also believes that the Planning Commission seemed inclined to approve the application after the initial hearing as long as he was willing and able to make the necessary building and fire safety code upgrades required for the school, so he cannot understand why the Commission denied the application at the second hearing after he confirmed that he would make the required upgrades.

FISCAL IMPACT: The project would not have a significant fiscal impact on the City on a regular basis; however, in the event that the concerts pose a nuisance to the immediate neighbors, the City's Police Department and/or Code Enforcement Division may receive complaints or requests for service from the public that would have to be addressed.

ENVIRONMENTAL REVIEW: The project is exempt from the California Environmental Quality Act pursuant to Guideline 15303 (Conversion of an Existing Structure).

PUBLIC NOTICE AND COMMENT:

Appeals to the City Council of actions taken by the Planning Commission require public hearing notification pursuant to FMC Article 30. A total of 48 notices were mailed to the owners and occupants of all property located within 300 feet of the project site, as well as the properties located along Logan

Drive between Sloan Street and Wheeler Drive on Thursday, April 15, 2010. A Public Hearing Notice was also published in the <u>Tri-City Voice</u> on Wednesday, April 14, 2010.

ENCLOSURES:

Exhibits:

"A" - Project Plans

"B" - Findings for Denial

Informational Items:

- 1. Operations Statement submitted by Applicant
- 2. Letter of Opposition from Neighbor
- 3. Letter of Support from Neighbor
- 4. Letter of Appeal submitted by Applicant
- 5. Project Summary Data
- 6. Minutes from the April 9, 2009 Planning Commission meeting
- 7. Draft minutes from September 10, 2009 Planning Commission meeting

RECOMMENDATION:

- 1. Hold public hearing; and
- 2a. Uphold the decision of the Planning Commission and deny the appeal of Conditional Use Permit application PLN2009-00044 as shown in Exhibit "A" based on the findings of denial contained in Exhibit "B"; or
- 2b. Continue the item to May 11, 2010 and direct staff to return to the City Council with findings and conditions of approval in support of the application.

6.1	Report Out from Closed Session of Any Final Action					

7.1 DISCUSSION OF DRAFT GUIDING PRINCIPLES FOR FUTURE DEVELOPMENT OF THE WARM SPRINGS/SOUTH FREMONT AREA

Receive Input on Draft Guiding Principles for Future Development of the Warm Springs/South Fremont Area

Contact Person:

Name: Jill Keimach Jeff Schwob
Title: Community Development Director Planning Director

Dept.: Community Development Community Development

Phone: 510-494-4767 510-494-4527

E-Mail: jkeimach@fremont.gov jschwob@fremont.gov

Executive Summary: The City Council has expressed interest in formally creating a set of Guiding Principles for the Warm Springs/South Fremont area to establish the Council's vision and direction for its future use.

BACKGROUND: On March 4, 2010, staff provided the City Council with the attached summary of previous City Council-adopted policy directions for the Warm Springs Area. While these policies address a wide range of issues related to future land use primarily within a half-mile radius around the future Warm Springs BART Station, the policies were developed and adopted prior to the closure of the NUMMI manufacturing plant. The closure of NUMMI has created an opportunity for the community and City Council to reassess its goals and understanding of the area. These goals may now be expanded to address land use from the perspective of job creation and retention, as well as considering the future of a much larger area encompassing over 850 acres with the inclusion of the NUMMI lands immediately west of the future BART Station.

In response to the City Council's request, staff has taken the previously adopted policies and Council direction and combined them with policies discussed in other land use documents, including the Draft General Plan. These policies together create a draft set of Warm Springs/South Fremont Guiding Principles.

The intent is for the City Council to review and provide feedback on the draft Guiding Principles. Based on this feedback, staff proposes to return with Guiding Principles for City Council adoption. The Guiding Principles will then be used by the City as future actions are taken. The Guiding Principles will also be shared with consultants who are considering filing proposals with the City for the EDA grantfunded studies on NUMMI site reuse and revitalization.

DISCUSSION/ANALYSIS: The Warm Springs/South Fremont area is reflected in three maps associated with the Priority Development Area, the Draft General Plan study area, and the EDA grantfunded studies for the reuse and revitalization of the NUMMI area. Currently, these maps have slightly different boundaries but as the Draft General Plan evolves, staff expects the boundaries of these areas will merge into a slightly larger area that not only encompasses NUMMI and BART lands, but potentially may include property along both sides of Warren Avenue, the area freeway interchanges, and nearly all land between the I-680 and I-880 freeways.

The area is generally characterized by the following existing conditions:

- A 5.5 million square foot NUMMI facility which ceased its operations on April 1, 2010.
 NUMMI lands, at 370 acres, comprise the largest component of the Warm Springs/South Fremont Plan.
- Future site of the Warm Springs BART Station at the southwest corner of Grimmer Boulevard/Warm Springs Boulevard. BART tracks north of the site are currently under construction, with the Station expected to be complete by 2014/15.
- The area around the NUMMI site is a mix of land uses, with business parks, research and development facilities, light industrial, manufacturing, office, retail, restaurants, with about 5 million square feet of vacant or underutilized structures and 191 acres of vacant lands.
- Key transportation facilities in the area include I-880 to the west, I-680 to the east, Mission Boulevard to the south, and the presence of UPRR rail lines along the east boundary of NUMMI.

As noted above, Warm Springs/South Fremont area is strategically located with convenient Interstate freeway access, rail access, and public transit (via the future Warm Springs BART Station and bus services). The NUMMI facility and surrounding area lands present an unparalleled opportunity for economic development and creation of new jobs in the Bay Area. The City seeks to support this opportunity by helping to guide future land use to achieve both short- and long-term visions for Fremont.

The draft Guiding Principles below are based on past City Council policy actions and the draft General Plan policies. In addition to City Council feedback on April 27, these principles may be refined further in the future to incorporate the results of the four EDA grant-funded NUMMI studies. These studies will provide significant opportunities for community input through a Community Preferences Survey (currently online) and several workshops and public meetings. The Guiding Principles may also be influenced by follow-up work in completing the Warm Springs/South Fremont Plan.

It is anticipated that the Council will provide input tonight that the staff will then incorporate into draft principles for adoption at the next Council meeting.

Following are staff's recommended Draft Guiding Principles for the Warm Springs/South Fremont area:

- 1. The City shall actively pursue opportunities which create a high number of high-paying jobs, including technology, manufacturing and professional jobs.
- 2. Recognizing the large scale of the area and the opportunities around the future Warm Springs BART Station, the area will have different intensities and densities based on its proximity to transit. Higher density uses and employment centers would be located within one-half mile of the Warm Springs BART Station, transitioning to generally less dense development south of BART.
- 3. The siting, design and implementation of development in this area should a) promote a high-quality, environmentally sustainable mix of appropriate uses that create a strong and positive sense of place, and b) foster a synergistic relationship with the existing surrounding development and neighborhoods.

- 4. The area should incorporate sustainable design, including passive stormwater retention and filtration systems, green buildings, walkable and mixed use communities, and energy efficient systems.
- 5. The area generally within one-half mile of the BART station should be designed as an active and vibrant urban center with integrated mixed-use communities that include opportunities to live, work, and shop, supported by schools and public facilities located within convenient walking distance of BART.
- 6. Incorporate the use of pedestrian and bicycle paths into all site plans to provide for walkable neighborhoods and ease of non-vehicular travel, including use of safe and convenient connections between project sites and key resident and employee destinations.
- 7. Include areas of open space at selected locations, particularly in areas with higher density uses and employment centers, such as small parks, public gathering locations and seating areas, and civic spaces.
- 8. Incorporate use of buffers (landscaping, building setbacks and orientations, walkways and streets, or similar and appropriately-designed features) to help provide separation between residential/mixed-use developments and manufacturing, industrial, research and development, and other employment generating uses to maintain the viability of the respective uses.
- 9. Ensure opportunities for the City Council, Commissions, community and stakeholders to provide review and input throughout the planning process for the Warm Springs/South Fremont area.
- 10. To encourage desirable development in a timely manner, the City should seek opportunities to establish funding mechanisms for construction of public infrastructure necessary to spur private development.
- 11. Consider a land use and development plan that as a whole can be financially feasible/market based without using City General Funds.

FISCAL IMPACT: Adoption of these Guiding Principles has no fiscal impact upon the City.

ENVIRONMENTAL REVIEW: There is no project related to the establishment of these Guiding Principles, and no action is required under the provisions of the California Environmental Quality Act (CEQA).

ENCLOSURES:

- Map of the Warm Springs/South Fremont Study Area
- March 4, 2010 Memorandum "Policy Statements Regarding Warm Springs Area"

ECOMMENDATION: Receive Input on Draft Guiding Principles for Future Development of the arm Springs/South Fremont Area. Staff will return to the City Council in early May with a revised sed draft Guiding Principles for Council adoption.						

8.1 Council Referrals

8.1.1 MAYOR WASSERMAN REFERRAL: Appointments to advisory bodies with terms expiring as follows:

Appointment:

Advisory Body Appointee Term Expires

Economic Development

Advisory Commission Tim Tran December 31, 2013

George W. Patterson House

Advisory Board Susan Anderson December 31, 2013

ENCLOSURES: Commission Applications

8.2 Oral Reports on Meetings and Events

ACRONYMS

ABAG Association of Bay Area Governments	FUSD Fremont Unified School District
ACCMAAlameda County Congestion	GIS Geographic Information System
Management Agency	GPA Geographic information System GPA General Plan Amendment
ACE Altamont Commuter Express	HARB Historical Architectural Review Board
	HBA Home Builders Association
ACFCD Alameda County Flood Control District	HRC Human Relations Commission
ACTAAlameda County Transportation	
Authority	ICMA International City/County Management
ACTIAAlameda County Transportation	Association
Improvement Authority	JPA Joint Powers Authority
ACWDAlameda County Water District	LLMD Lighting and Landscaping Maintenance
BAAQMD Bay Area Air Quality Management	District Color
District	LOCC League of California Cities
BART Bay Area Rapid Transit District	LOS Level of Service
BCDCBay Conservation & Development	MOU Memorandum of Understanding
Commission	MTC Metropolitan Transportation Commission
BMPsBest Management Practices	NEPA National Environmental Policy Act
BMRBelow Market Rate	NLC National League of Cities
CALPERSCalifornia Public Employees' Retirement	NPDES National Pollutant Discharge Elimination
System	System
CBDCentral Business District	NPO Neighborhood Preservation Ordinance
CDDCommunity Development Department	PC Planning Commission
CC & R'sCovenants, Conditions & Restrictions	PD Planned District
CDBGCommunity Development Block Grant	PUC Public Utilities Commission
CEQACalifornia Environmental Quality Act	PVAW Private Vehicle Accessway
CERTCommunity Emergency Response Team	PWC Public Works Contract
CIPCapital Improvement Program	RDA Redevelopment Agency
CMACongestion Management Agency	RFP Request for Proposals
CNGCompressed Natural Gas	RFQ Request for Qualifications
COFCity of Fremont	RHNA Regional Housing Needs Allocation
COPPSCommunity Oriented Policing and Public	ROP Regional Occupational Program
Safety	RRIDRO Residential Rent Increase Dispute
CSACCalifornia State Association of Counties	Resolution Ordinance
CTCCalifornia Transportation Commission	RWQCB Regional Water Quality Control Board
dBDecibel	SACNET Southern Alameda County Narcotics
DEIRDraft Environmental Impact Report	Enforcement Task Force
DODevelopment Organization	SPAA Site Plan and Architectural Approval
DU/ACDwelling Units per Acre	STIP State Transportation Improvement
EBRPD East Bay Regional Park District	Program
EDAC Economic Development Advisory	TCRDF Tri-Cities Recycling and Disposal Facility
Commission (City)	T&O Transportation and Operations
EIREnvironmental Impact Report (CEQA)	Department
EIS Environmental Impact Statement (NEPA)	TOD Transit Oriented Development
ERAFEducation Revenue Augmentation Fund	TS/MRF Transfer Station/Materials Recovery
EVAW Emergency Vehicle Accessway	Facility
FARFloor Area Ratio	UBC Uniform Building Code
FEMAFederal Emergency Management Agency	USD Union Sanitary District
FFDFremont Fire Department	VTA Santa Clara Valley Transportation
FMCFremont Municipal Code	Authority
FPDFremont Police Department	WMA Waste Management Authority
FRCFamily Resource Center	ZTAZoning Text Amendment
•	

UPCOMING MEETING AND CHANNEL 27 BROADCAST SCHEDULE

Date	Time	Meeting Type	Location	Cable Channel 27
May 3, 2010	4:00 p.m.	Joint City Council/FUSD Board Meeting	Council Chambers	Live
May 4, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 11, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 18, 2010	TBD	Work Session	Council Chambers	Live
May 25, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 1, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 8, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 15, 2010	TBD	Work Session	Council Chambers	Live
June 22, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 29, 2010 (5 th Tuesday)	TBD	No City Council Meeting		
July 6, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
July 13, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
July 20, 2010	TBD	Work Session	Council Chambers	Live
July 27, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
		August Recess		
September 7, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
September 14, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
September 21, 2010	TBD	Work Session	Council Chambers	Live
September 28, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live